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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
STEPHEN GOFF,
Defendant.

No. CR-09-00147 WHA
No. CR-10-00531 WHA

STIPULATION ~~AND PROPOSED~~
~~ORDER~~ TO CORRECT CLEAR ERROR
PURSUANT TO RULE 35

1. On July 2, 2012, Mr. Goff appeared before the Court to address a pending Form 12 filed in case CR-10-0531. Mr. Goff admitted the violations in the Form 12 and was sentenced to 18 months of custody, with no supervision to follow.
2. The Form 12 neglected to address that Mr. Goff was also on supervision in CR-09-147, thus the judgment in this case was entered solely in CR-10-0531.
3. The probation office brought this to the parties attention after Mr. Goff was sentenced, and all parties agree that this was error, and that the Form 12 was meant to address both cases. Mr. Goff cannot be designated to the BOP until both cases are addressed.
4. The parties agree that the same sentence of 18 months custody, with no supervision to follow, should be imposed in each case, and that the sentences should run concurrently.

That was the intent of the parties and it was due solely to a technical error that the judgment was not entered in both cases.

5. As such, the parties stipulate that the Court should enter a judgment in CR-09-147 sentencing Mr. Goff to 18 months custody with no supervision to follow, and that it should run concurrent to the sentence in CR-10-531.

SO STIPULATED.

GEOFFREY HANSEN
Acting Federal Public Defender

5/17/12

/s/

DATE

RITA BOSWORTH
Assistant Federal Public Defender

MELINDA HAAG
United States Attorney

5/17/12

/s/

DATE

RANDALL LUSKEY
Assistant United States Attorney

The Court hereby ORDERS that Mr. Goff is sentenced to 18 months custody with no supervision to follow in case CR-09-147, and that sentence shall run CONCURRENT to the sentence in CR-10-531. It is further ORDERED that, pursuant to Rule 35, it was clear error for the sentences not to be imposed on the same day, and therefore Bureau of Prisons shall treat both sentences as having been imposed on the same day for purposes of calculating Mr. Goff's sentence.

Dated: July 9, 2012.

William Alsup
UNITED STATES DISTRICT JUDGE